

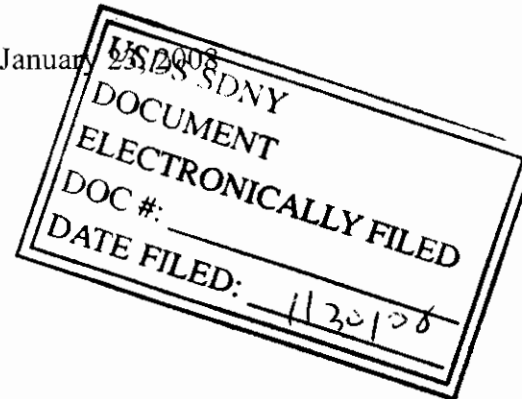


MEMO ENDORSED

U.S. Department of Justice
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 25, 2008



BY HAND

Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Rm. 615
New York, New York 10007

Re: United States v. Lamont Vanderhorst
07 Cr. 291 (RJS)

Dear Judge Sullivan:

The Government respectfully submits this letter to confirm that the initial conference in the above-referenced case has been scheduled for February 4, 2008 at 10:00 a.m., and to request an exclusion of time under the Speedy Trial Act.

The defendant in this case was indicted on or about April 12, 2007, and was presented and arraigned on June 22, 2007, before the Honorable Douglas F. Eaton. After his presentment on the above-referenced indictment, the defendant was released on bail. He thereafter appeared in the Eastern District of Virginia in connection with a separate narcotics case against him, United States v. Lamont Marloe Vanderhorst, 3:07 Cr. 129, on which he was denied bail and detained. On or about September 4, 2007, Vanderhorst pled guilty to the charges in the Eastern District of Virginia, and was sentenced to 327 months' imprisonment on or about December 7, 2007. The defendant was returned to this District by the United States Marshal Service on or about January 9, 2008, and an initial scheduling conference has been scheduled for February 4, 2008.

The Government respectfully requests, with defense counsel's consent, that time be excluded for purposes of the Speedy Trial Act from today through and including February 4, 2008. The Government makes this request in order to permit the Government to collect and

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produce discovery and to provide the defendant an opportunity both to review discovery and to consider a possible disposition of the case. Therefore, the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(8).

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: 

Avi Weitzman
Assistant United States Attorney
Telephone: (212) 637-1205

cc: Martin Geduldig, Esq.
(by fax: 516-937-1456)

The time between today and February 4, 2008 will be excluded pursuant to 18 USC 3161(h)(8)(A) in the interest of justice.

SO ORDERED
Dated: 

RICHARD J. SULLIVAN
U.S.D.J.



U.S. Department of Justice
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
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Re: United States v. Lamont Vanderhorst
07 Cr. 291 (RJS)

Dear Judge Sullivan:

The Government respectfully submits this letter following up on its prior letter, dated January 23, 2008, requesting an exclusion of time under the Speedy Trial Act in the above-referenced case. It has come to the Government's attention that the Government failed to indicate in its prior letter whether the defendant consents to the Government's request for an exclusion of time. Indeed, before submitting the Government's letter, defense counsel, Martin Geduldig, Esq., orally consented to the Government's request for an exclusion of time under the Speedy Trial Act from January 23, 2008 through and including February 4, 2008. Please excuse the Government's oversight in failing to so indicate in its January 23, 2008 letter.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: 

Avi Weitzman
Assistant United States Attorney
Telephone: (212) 637-1205

cc: Martin Geduldig, Esq. (by fax: 516-937-1456)